

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

FILED

JUL 10 2007

LINDA L. KITZMILLER and
RICHARD C. KITZMILLER, her husband,

U.S. DISTRICT COURT
CLARKSBURG, WV 26301

Plaintiffs,

v.

Case No 2:05-CV-22
(The Honorable Robert E. Maxwell)

JEFFERSON SUPPLY COMPANY,

Defendant.

ORDER/OPINION

On the 8th day of July, 2007, Defendant filed a "Motion to Strike" the records and documents from Fabio Di Stefano (Attachment 3) to Document 253, which was filed by Plaintiffs on May 24, 2007, due to their being "irrelevant and immaterial to the captioned matter" (Docket Entry 254). Plaintiffs' response to this motion was due on or before the 25th day of June, 2007. No reply was filed by Plaintiffs.

In consideration of the above, the Court, hereby **GRANTS** Defendant's Motion to Strike. It is **ORDERED** that the records and documents of Fabio Di Stefano (Attachment 3) to Document 253 be stricken from the record.

The Clerk of the Court is directed to send a copy of this Order to counsel of record.

DATED: July 10, 2007.


JOHN S. KAULL
UNITED STATES MAGISTRATE JUDGE